

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

ZACHARY WAYNE JONES,

Defendant.

No. 2:16-CR-0091-WFN-1

PROTECTIVE ORDER

Pending before the Court is the Government's Motion for a Protective Order. ECF No. 20. The Government asks that the Court issue a protective order pursuant to 18 U.S.C. § 3509 (d)(3)(B)(ii) in order to protect a minor victim. The Court has reviewed the file and Motions and is fully informed. Accordingly,

**IT IS ORDERED** that:

1. The Government's Motion to Expedite, filed August 3, 2016, **ECF No. 21**, is **GRANTED**. The underlying Motion was considered on an expedited basis.

2. The Government's Motion for a Protective Order, filed August 3, 2016, **ECF No. 20**, is **GRANTED**. The privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case, thus; all persons acting in this case in a capacity described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

(a) A person acting in a capacity described below in connection with a criminal proceeding shall-- (i) keep all documents that disclose the name or any other information concerning a child in a secure place to which no person who does not have

1 reason to know their contents has access; and (ii) disclose documents described in clause  
2 (i) or the information in them that concerns a child only to persons who, by reason of their  
3 participation in the proceeding, have reason to know such information.

4 (b) The protections described above apply to--(i) all employees of the  
5 Government connected with the case, including employees of the Department of Justice,  
6 any law enforcement agency involved in the case, and any person hired by the  
7 Government to provide assistance in the proceeding; (ii) employees of the court; (iii) the  
8 defendant and employees of the defendant, including the attorney for the defendant and  
9 persons hired by the defendant or the attorney for the defendant to provide assistance in  
10 the proceeding; and (iv) members of the jury.

11 (c) Filing under seal.--All papers to be filed in court that disclose the name of  
12 or any other information concerning a child shall be filed under seal without necessity of  
13 obtaining a court order. The person who makes the filing shall submit to the clerk of the  
14 court-- (A) the complete paper to be kept under seal; and (B) the paper with the portions of  
15 it that disclose the name of or other information concerning a child redacted, to be placed  
16 in the public record.

17 (d) Counsel shall remind all persons providing assistance on this case of these  
18 obligations.

19 (e) Any alleged minor victim will be referred to either by initials or a  
20 pseudonym, whichever is agreed upon by counsel for the United States and the Defendant.  
21 Counsel shall be consistent in their use of the identifier selected. The parties shall prepare  
22 their witnesses and instruct them to refer to the alleged minor victims only by using the  
23 agreed pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2" etc.), rather than their names, in  
24 opening statements and in closing arguments.

25 (f) All personal information relating to any minor victim shall be precluded  
26 from public disclosure.

27 The District Court Executive is directed to file this Order and provide copies to  
28 counsel.

**DATED** this 8th day of August, 2016.

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN

SENIOR UNITED STATES DISTRICT JUDGE

08-08-16